



Office of the Attorney General

State of Texas

DAN MORALES
ATTORNEY GENERAL

August 24, 1992

Mr. Joe Ramirez
Director, Materials Management
Capital Metropolitan Transportation Authority
2910 East Fifth Street
Austin, Texas 78702

OR92-503

Dear Mr. Ramirez:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 16397.

You sought an open records decision from this office pursuant to section 7(c) of the act. Consequently, this office attempted to notify representatives of Kerr Management Resources (Kerr) that we received your request for an open records decision regarding its proposal to the City of Austin for a "First-Line Supervisory Training Course." In our letter to Kerr, this office requested an explanation as to why portions of their proposal were excepted from public disclosure, with the caveat that their failure to do so within a reasonable time would result in this office instructing you to disclose the information.

Despite two attempts to reach representatives of Kerr by certified mail, our letters were returned each time unclaimed. Further, we left several messages with Kerr's telephone answering service in an attempt to advise Kerr of the importance of a response; however, none of our calls were returned. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. See Open Records Decision No. 552 (1990). Because neither you nor Kerr have contended to this office that the requested information should be withheld, you should release the

information at this time. If you have any questions regarding this letter, please refer to OR92-503.

Yours very truly,



Kay Hamilton Guajardo
Assistant Attorney General
Opinion Committee

KHG/RWP/lmm

Ref.: ID# 16397

cc: Ms. Deborah Kerr
P.O. Box 49477
Austin, Texas 78765
(w/o enclosures)

Ms. Koleta Thompson
President
The Planning and Resource People
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(w/o enclosures)